

GARDNER, CARTON & DOUGLAS

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April 7, 1995

APR - 7 1995

William Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

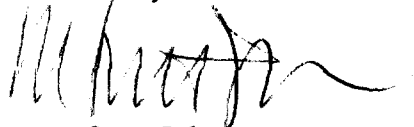
Re: Petition for Rule Making for Allotments
Blackstone, VA
Dillwyn, VA

Dear Mr. Caton:

Transmitted herewith on behalf of Denbar Communications Inc. are an original and four (4) copies of its Petition for Rule Making with regarding to the FM Table of Assignments as to the above referenced communities.

Should any questions arise, please contact the undersigned.

Sincerely,



M. Scott Johnson

MSJ/cp
Attachment

cc: John Karousos, Chief Allocations Branch
Room 8322

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BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of

Amendment of Section 73.202(b),
Table of Assignments
FM Broadcast Stations
Blackstone and,
Dillwyn, Virginia

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APR - 7 1995

FEDERAL COMMUNICATIONS COMMISSION
RECEIVED

To: The Commission

PETITION FOR RULE MAKING

Denbar Communications Inc. ("Denbar"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, hereby petitions that Section 73.202(b) of the Rules be amended as follows:

Blackstone, Virginia

Present

Proposed

228A

228C3

Dillwyn, Virginia

Present

Proposed

229A

287A

In support of such request, Denbar states as follows:

1. Denbar is the licensee of Station WBBC-FM, Blackstone, Virginia; WBBC-FM is licensed to operate on Channel 228A. Pursuant to Section 1.420(g)(3) of the Rules, Denbar seeks to modify its license so as to specify operation on Channel 228 as a C-3 facility. Specifically, Denbar proposes that the Commission substitute Channel 228C3 for Channel 228A at Blackstone and, pursuant to Section 316(a) of the Communications Act of 1934, as

amended, issue an order modifying the WBBC-FM license accordingly.

2. As set forth in the attached engineering statement of Victor C. Bosiger, World Media Inc., Jeff Wall the substitution of Channel 228C3 at Blackstone, Virginia will comply with the minimum separation requirements of Sections 73.207 of the Rules as well as the minimum field strength requirements of Section 73.315(a) of the Rules.

3. In order to accommodate the assignment and use by Station WBBC-FM of Channel 228C3 at Blackstone, Virginia, it will be necessary to substitute Channel 287A for Channel 229A at Dillwyn, Virginia. The Commission's records reflect that a construction permit was granted for Channel 229A at Dillwyn in 1992, and later the call sign WVXE assigned for that construction permit. However, the station was never built and in 1994 the permit was canceled and the call sign deleted. No appeals or petitions for reconsideration are pending. Under these circumstances, no reimbursement of out-of-pocket expense for change of channel to 287A is required as to the Dillwyn allotment. As indicated in the attached World Media Inc. technical report, the channel substitution at Dillwyn, Virginia can be made in full compliance with all Commission rules and policies.

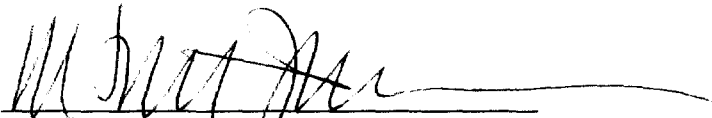
4. It should also be noted that Denbar hereby states its commitment to apply for Channel 228C3 if allotted, to modify its facilities in order to operate WBBC-FM on Channel 228C3.

For reasons set forth above, the public interest would be served by the foregoing proposal, and accordingly the Commission is respectfully requested to (a) issue a notice of proposed rule making to substitute Channel 228C3 for 228A at Blackstone, Virginia, and substitute Channel 287A for 229A at Dillwyn, Virginia, and (b) issue appropriate show cause orders to modify the license of the WBBC-FM.


Respectfully submitted,

DENBAR COMMUNICATIONS, INC.

By:


M. Scott Johnson, Esquire

By:


Lauren Drake, Esquire

Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900E
Washington, DC 20005
(202) 408-7100

Its Attorneys

Date: April 7, 1995

ORIGINAL

ENGINEERING STATEMENT
IN SUPPORT OF PETITION FOR RULE MAKING
TO AMEND THE TABLE OF FM ASSIGNMENTS
IN DILLWYN VIRGINIA AND BLACKSTONE VIRGINIA

THIS ENGINEERING STATEMENT, and exhibits associated herewith are submitted in support of a PETITION FOR RULEMAKING to amend the table of FM assignments, 47 C.F.R. 73.202(b), to allocate Channel 287A to Dillwyn Va., in lieu of Channel 229A, and to allocate Channel 228C3 to Blackstone, Va. in lieu of Channel 228A. The petition proposes modification of the license of WBBC FM, (Denbar Communications, Inc.) to specify operation on Channel 228C3.

It is proposed to amend the Table of FM assignments as follows:

<u>COMMUNITY</u>	<u>PRESENT ALLOCATION</u>	<u>PROPOSED ALLOCATION</u>
DILLWYN, VA	229A	287A
BLACKSTONE, VA	228A	228C3

Studies were undertaken to determine this proposed amendment's compliance with the Commission's minimum separation requirements set forth in 47 C.F.R 73.207. These studies indicate that the proposed allocations would meet the requirements based on the following criteria:

ENGINEERING STATEMENT

PAGE TWO

1. The site to meet the minimum spacing requirements of 47 C.F.R. 73.207 for Channel 287A in Dillwyn, Va. is restricted to a location approximately 13 KM northwest of the community of Dillwyn, Va. specifically defined by these co-ordinates:

North Latitude 37-35-18

West Longitude 78-37-01

Exhibit One sets forth a list of existing stations, allocations, applications, and proposed rule-makings for co-channel and adjacent channels pertinent to the request for allocation of Channel 287A to Dillwyn, Va. The computations and tabulations of Exhibit One are consistent with the methods prescribed in 47 C.F.R. 73.208(a)(2). There is no licensee or permittee to the currently existing Dillwyn allocation, therefore no present or proposed facility would be required to move or change channels. Exhibit Two shows that a facility located at the proposed co-ordinates would provide city-grade (70dBu) service to Dillwyn, Va. as required by 47 C.F.R 73.315.

2. Exhibit Three sets forth a list of existing stations, allocations, applications, and proposed rule-makings for co-channel and adjacent channels pertinent to the request to substitute Channel 228C3 for Channel 228A in Blackstone Va.

ENGINEERING STATEMENT

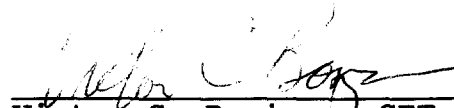
PAGE THREE

Exhibit Three indicates that Channel 228C3 could be substituted for Channel 228A in Blackstone, Va. and meet the spacing requirements of 47 C.F.R. 73.207, if the Dillwyn allocation substitution is made as proposed herein.

The foregoing considered, it is the opinion of this firm that the channel substitutions as proposed in the accompanying Petition for Rulemaking are consistent with the requirements of the Commissions Rules and Regulations.

ENGINEERING CERTIFICATION

I, Victor C. Bosiger, certify that I am an engineer and President of World Media, Inc. and that all studies and computations were performed by me or under my direction, and are true and correct to the best of my knowledge. I hold both a CET certificate and FCC General Class Radiotelephone license, and have been consistently engaged in the practice of broadcast engineering for more than 20 years. My qualifications are a matter of record with the Federal Communications Commission.



Victor C. Bosiger, CET
Consulting Engineer to Denbar
Communications, Inc.

April 5, 1995

World Media, Inc.
Consulting Engineers
PO Box 552
Forest, Va. 24551
(804) 525 0900 Fax (804) 525 6716

Exhibit One Separation Study Channel 287 A Dillwyn, Va.
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MAPFM search of channel 287A6 (105.3 MHz), at N. 37 35 18, W. 78 37 1.

Searching Channel 287A6 (105.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Crewe	VA	284	C1	U	59.1	75.0	137.6°	-15.9
WKIK	Crewe	VA	284	C1	L	74.8	75.0	128.3°	-0.2
WAMMFM	Bridgewater	VA	286	A	C	94.4	72.0	344.7°	22.4
WDCC	Durham	NC	286	C	L	196.5	165.0	194.2°	31.5
ALC	Bridgewater	VA	286	A	U	93.7	72.0	340.3°	21.7
ALC	Durham	NC	286	C	U	196.5	165.0	194.2°	31.5
WAMMFM	Bridgewater	VA	286	A	L	94.4	72.0	344.7°	22.4
ALC	Blacksburg	VA	287	C3	U	167.0	142.0	257.8°	25.0
ALC	Norfolk	VA	287	B	U	209.7	178.0	114.3°	31.7
WMXN	Norfolk	VA	287	B	L	209.7	178.0	114.3°	31.7
WRDJ	Roanoke	VA	287	A	C	125.9	115.0	254.4°	10.9
WVVV	Blacksburg	VA	287	C3	C	171.1	142.0	254.9°	29.1
WKDEFM	Altavista	VA	288	A	L	71.8	72.0	228.6°	-0.2
WSKO	Buffalo Gap	VA	288	A	L	84.9	72.0	320.9°	12.9
WSHV	South Hill	VA	288	A	L	102.0	72.0	156.7°	30.0
ALC	Altavista	VA	288	A	U	71.8	72.0	228.6°	-0.2
ALC	Buffalo Gap	VA	288	A	U	84.9	72.0	320.9°	12.9
ALC	Louisa	VA	288	A	U	71.8	72.0	47.3°	-0.2
WLSA	Louisa	VA	288	A	L	71.8	72.0	47.3°	-0.2
WLNI	Lynchburg	VA	290	A	L	48.3	31.0	248.2°	17.3
ALC	Lynchburg	VA	290	A	U	50.4	31.0	247.5°	19.4

Exhibit Two
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70dbu 60dbu
Channel 287 A
Dillwyn, Va.

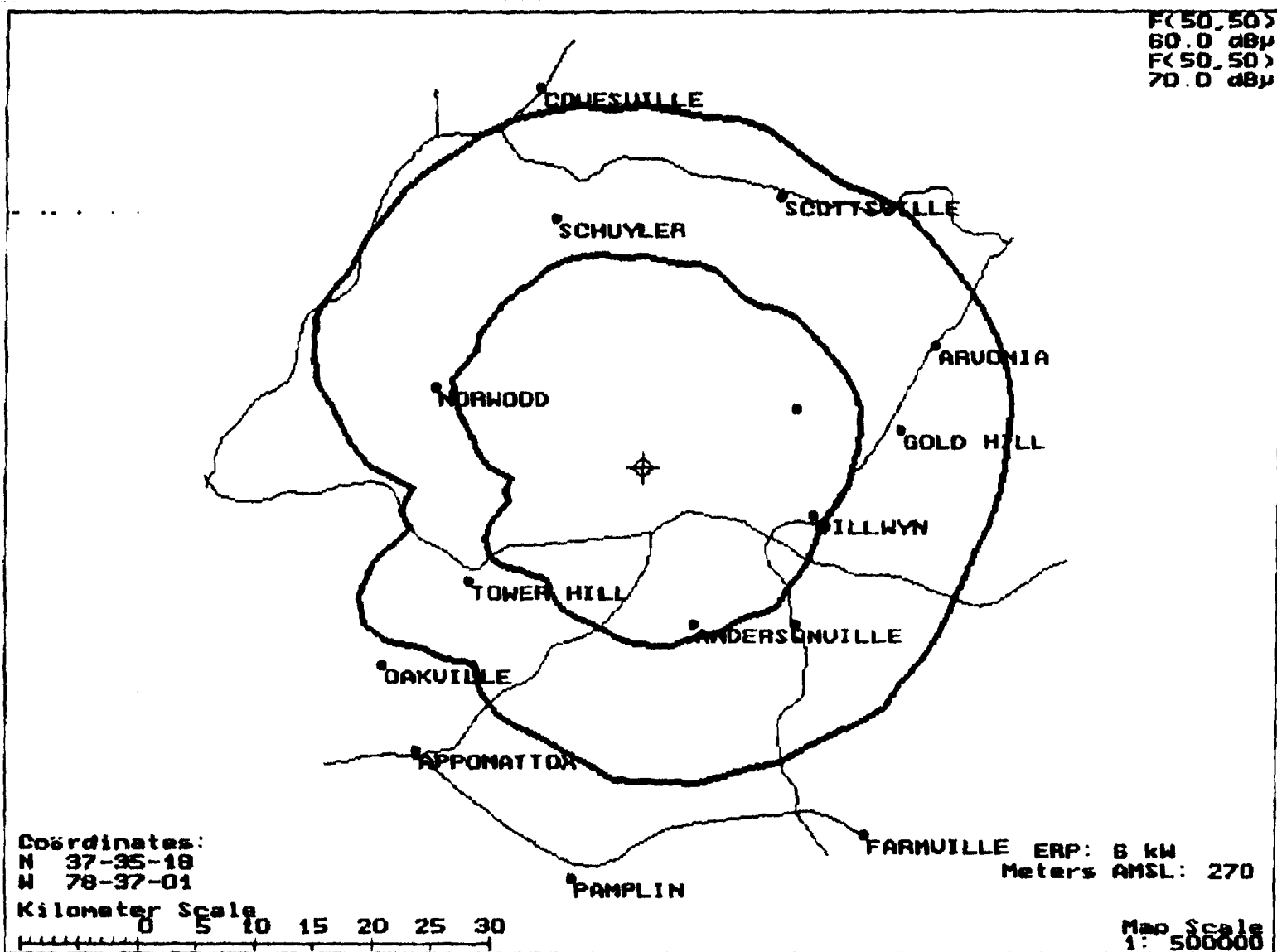


Exhibit Three
Separation Study
Channel 228 C3
Blackstone, Va.

Page 1
March 30, 1995

Title: WBBC
Channel 228C3 (93.5 MHz)
Database: DW 05/16/95

Latitude: 37-03-14
Longitude: 78-01-15
Safety zone: 45 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
ALLOC			225A		37-18-00	309.5	43.13	42
FARMVILLE	VA	DOC-94-112	92.9		78-23-48	129.3	1.128	CLOSE
Granted effective 04/14/95, adopted 02/21/95, released 02/28/95; Filing window 04/14-05/15/95; RM-8516								
ALLOC			226A		37-17-53	56.9	49.97	42
ETTRICK	VA	DOC-94-114	93.1		77-32-53	237.2	7.973	CLOSE
Granted effective 04/14/95, adopted 02/15/95, released 02/28/95; Filing window 04/14-05/15/95; RM-8515								
WDYL	APP	HOFFMAN COMMUNICATIONS,	226A	1.40	37-20-19	54.8	55.22	42
CHESTER		VA BPH-930625IF	93.1	145	77-30-39	235.1	13.22	CLOSE
Deletion proposed; Amended 04/11/94; Received per FCC release #15571 dated 07/16/93, accepted per 15572 dated 07/20/93; ORDERED FROM 221A AND TO 289A								
WDYL	CP	HOFFMANN COMMUNICATIONS,	226A	1.35	37-20-33	54.8	56.01	42
CHESTER		VA BPH-920814IF	93.1	150	77-30-12	235.2	14.01	CLOSE
Deletion proposed; DOC-90-67; CP Granted 04/06/93 per FCC release #21611 dated 04/12/93; CP Granted 04/06/93 per FCC release #21611 dated 04/12/93; ORDERED FROM 221A AND TO 289A; BMPH-940928JB EXT(16020-1/17/94); Affiliated with WGGM(AM)								
WFLS-FM LIC	FREE	LANCE-STAR PUBLISHI	227B	50	38-18-47	19.9	148.9	145
FREDERICKSBURG		VA BLH-880809LD	93.3	150	77-26-20	200.3	3.883	CLOSE
Affiliated with WFLS(AM)								
WDLX	LIC	TAR HEEL BROADCASTING SY	227C	100	35-21-55	163.1	195.7	176
WASHINGTON		NC BLH-791206AF	93.3	543	77-23-38	343.5	19.67	CLEAR
Was WITN-FM 06/01/85; Affiliated with WRRF(AM)								
WBBC-FM LIC	DENBAR	COMMUNICATIONS, I	228A	4.70	37-03-14	.0		142
BLACKSTONE		VA	93.5	113	78-01-15	.0	-142	SHORT
Amended 02/09/95; Was WBBC 11/25/87; Ant: Phelps Dodge CFM-LP-3; Affiliated with WKLV(AM)								
WJLM	LIC	WRIS INC	228A	5.80	37-16-47	278.8	176.8	142
SALEM		VA BMLH-910801KB	93.5	30	79-59-29	97.6	34.81	CLEAR
Ant: Shiveley 6811								
ALLOC			229A		37-33-05	320.4	71.99	89
DILLWYN	VA		93.7		78-32-31	140.0	-17.0	SHORT
Granted effective 10/15/91, adopted 08/16/91, released 08/30/91; Filing window 10/16-11/15/91 **CLOSED** ; ALLOC REOPENS PER CP CANCELLATION								
WKOC	LIC	WKOC LICENSE LP	229C1	100	36-32-57	108.4	172.8	144
CHESAPEAKE		VA BMLH-941208KC	93.7	287	76-11-21	289.5	28.80	CLEAR
DOC-89-535; RM-6980								

FM Spacing study

Title: WBBC
Channel 228C3 (93.5 MHz)

Latitude: 37-03-14
Longitude: 78-01-15

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
WZZU	LIC	PRISM RADIO PARTNERS, LP	230C	100DA	35-52-16	218.1	166.3	96
BURLINGTON	NC	BLH-850401KR	93.9	387	79-09-39	37.4	70.33	CLEAR
DA: Shiveley 6810-4R-DA @ 0 deg								
WXEZ	LIC	EURE COMMUNICATIONS, INC	231B	50	37-29-37	70.2	148.3	71
YORKTOWN	VA		94.1	152	76-26-30	251.2	77.32	CLEAR
Was WKOD 09/15/92 per FCC release #191 dated 09/25/92								
WXTR-FM	LIC	WXTR, INC.	281B	22	38-37-07	30.3	202.2	17
WALDORF	MD	BLH-910628KC	104.1	233	76-50-42	211.1	185.2	CLEAR
Ant: Shiveley 6810-5R-SS								
WFXK	LIC	GREAT AMERICAN EAST INC	282C1	100	36-02-22	181.9	112.6	24
TARBORO	NC	BLH-900209KD	104.3	299	78-03-44	1.9	88.63	CLEAR
Was WCAS 04/17/92 per FCC release #181 dated 04/24/92								

>> End of channel 228C3 study <<